

**REMARKS:**

The Office Action dated October 8, 2003 has been carefully reviewed and considered. Claims 1-21, as shown above remain pending in this application. Claims 1, 15, 20 and 21 are independent claims, and claims 1, 20 and 21 have been amended to further clarify the invention. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Applicant notes with appreciation the indication in the office action that claims 15-17 recite allowable subject matter. Claim 15 has been rewritten in an independent form containing all the recitations of base claim 1. Accordingly, claims 15-17 are in condition for immediate allowance.

(1) Claims 1-8 and 18-21 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Brill et al. (US 6,542,621 hereafter "Brill"). Applicant respectfully traverses this ground of rejection.

In response to above rejections, Applicant respectfully submits that the presently claimed invention provides improvements over conventional person tagging techniques that are not disclosed or suggest by Brill. Once tagged, the person may be detected, located and tracked. In particular, one such step includes: "applying the model to at least one subsequent image in order to perform at least one of a detection operation, a location operation and a tracking operation for the tagged person wherein the optimum trajectory of a person is maximized through linear transformation" as recited by amended instant claim 1 (support being found in the specification at least in page 6, line 10-30 and page 7, line 1). Claims 20 and 21 have also been amended to recite similar language.

The invention is further distinguishable from Brill because the instant claims are reciting steps that result in person tagging, wherein the art is discloses steps used for locating a person. In contrast to a person recognition process, which takes advantage of the history of the known positions and poses of the person from previous images, the process of person tagging does not necessarily involve definitive identification of a given person as being a particular known individual (please see page 1 line 17 of the specification).

In addition, Brill is distinguishable from the present claims as this reference discloses an event recognition system involving a two dimensional change detection technique. A background image of the scene to be monitored is acquired. This image is superimposed on the next video frame of the same scene. An absolute difference of the pixel values of the current video and the reference image is taken rendering a difference image. This difference image is further processed by first being thresholded and then heuristics are used to provide distinct objects, support for which is found at column 3, line 36-53 of the specification.

Finally, Applicants respectfully submit that in order for a reference to anticipate a claim, the reference must disclose all of the elements recited by the rejected claims. The MPEP refers to the case of Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628,631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), wherein the Court of Appeals for the Federal Circuit held that:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Accordingly, it is respectfully submitted that none of the instant claims would have been anticipated by Brill. Reconsideration and withdrawal of this ground of rejection are respectfully requested.

(2) Claims 9-14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brill in view of Chang et al. (US 5,999,651 hereafter "Chang"). Applicants respectfully traverse this ground of rejection for the reasons indicated herein below.

It is respectfully submitted that none of the instant claims would have been obvious to an artisan at the time of invention in view of the combination of Brill and Chang. The claims recite at least one step neither taught nor suggested by Brill, Chang or the combination of teachings of Brill and Chang.

Chang relates to a contour tracking process where the user defines an initial object contour to start the process. The initial contour is required to be in close proximity to the object boundary thus ensuring good tracking especially when the background and/or the object contain a lot of edges. This initial contour is then processed for smoothness using a snake algorithm and desired features are locked on, support for which is found at column 2 line 55- 66 of the specification. A series of steps are then followed to establish the trajectory of a snake point producing a motion-compensated contour. It is used as the initial estimate for the snake energy minimization process for the new frame. Each frame would undergo the same process in a sequential manner (Please see column 3, line 1-11).

Applicants respectfully submit that the combination of Brill and Chang fails to teach or show a step of "applying the model to at least one subsequent image in order to

perform at least one of a detection operation, a location operation and a tracking operation for the tagged person wherein the optimum trajectory of a person is maximized through linear transformation as a means of predicting the trajectory of a person, as recited in claim

Therefore, reconsideration and withdrawal of this ground of rejection are respectfully requested.

For all the foregoing reasons, Applicants respectfully submit that all grounds of rejection have been overcome. A Notice of Allowance is respectfully requested.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to kindly contact the undersigned at the telephone number listed below. If there are any fees due and owing, please charge Deposit Account No. 502-470.

Respectfully submitted,

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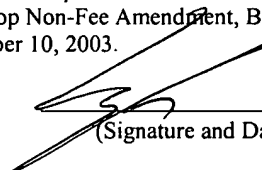
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the COMMISSIONER FOR PATENTS, Mail stop Non-Fee Amendment, Box 1450, Alexandria, Virginia 22313-1450 on December 10, 2003.

Steve Cha, Reg. No. 44,069

(Name of Registered Representative)

 12/10/03  
(Signature and Date)